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Joseph E. Pomar.

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Recommended Citation

H.R. Rep. No. 842, 25th Cong., 2nd Sess. (1838)

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JOSEPH E. POMAR.

MAY 11, 1838.

Read, and laid on the table.

Mr. E. WHITTLESEY, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to whom is referred the petition of Joseph E. Pomar, of East Florida, report:

That he sets forth in his petition that he was the owner of a large stock of cattle before the commencement of hostilities with the Seminole Indians, from which he derived a very handsome salary; that they were depastured about twenty-five miles from St. Augustine, on the plantation of Ramon Sauchy; that the number of said cattle was three hundred and twenty, of a very superior quality; that the owner of said plantation was obliged to abandon it, and to seek a place of safety farther from the Indians; by reason of which, the memorialist says he lost the whole of his cattle, the greater part having been driven off by the Indians, and a number were taken and slaughtered for the troops in that neighborhood in the service of the United States. He says in the month of May, 1836, he waited on Gen. Scott, at St. Augustine, and requested a guard to be sent with him and with his fellow-sufferers, to bring their cattle in; which request Gen. Scott declined to accede to. He appeals to the justice of the United States for a redress of his grievances.

The account he presents, amounts to three thousand two hundred dollars. Four persons estimate the cattle to have been worth that sum. Several witnesses substantially sustain the allegation contained in the memorial. Neither the petitioner nor the witnesses state any number of cattle that were killed for the troops in the service of the United States. No one states that he has any personal knowledge on the subject. In the opinion of the committee, the United States are not liable for the loss the petitioner may have sustained by the Indians; and as to the cattle that may have been taken by the troops of the United States, the testimony is too uncertain and indefinite to recommend that an allowance be made.

The liability of the United States is not increased from the circumstance that Gen. Scott declined to send a guard to bring the cattle into the settlement. The following resolution is submitted:

Resolved, That the petitioner is not entitled to relief.